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September 20, 2002

File: 4001.002282

CERTIFICATE OF MAILING
37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:

September 20, 2002

Date


Shelley P.M. Fussey

Assistant Commissioner for Patents
Washington, DC 20231

RE: *U.S. Application Serial No. 09/351,862; Entitled "Cancer Treatment Kits Using Antibodies to Aminophospholipids"; by Thorpe and Ran; Client Reference: UTSD:549--1*

Sir:

Enclosed for filing in the above-referenced patent application is:

- (1) A Supplemental Information Disclosure Statement, PTO Form 1449 and copies of References A24 and C57-C61; and
- (2) A return postcard listing these materials; please date stamp and return the postcard evidencing receipt of these materials.

WILLIAMS, MORGAN & AMERSON, P.C.

Assistant Commissioner for Patents

September 20, 2002

Page 2

No fees are believed to be due in connection with the filing of these materials, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason, the Assistant Commissioner is hereby authorized to deduct said fees from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/4001.002282.

Respectfully submitted,



Shelley P.M. Fussey, Ph.D.

Reg. No. 39,458

Patent Agent

Encls.



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PATENT #26

AKO
10/3/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Philip E. Thorpe and Sophia Ran

Serial No.: 09/351,862

Filed: July 12, 1999

For: CANCER TREATMENT KITS USING
ANTIBODIES TO
AMINOPHOSPHOLIPIDS

Group Art Unit: 1619

Examiner: Sharareh, S.

Atty. Dkt. No.: 4001.002282

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENTAssistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record in the present case. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

First and second Non-Final Official Actions on the merits have been received in the present application. However, this Supplemental Information Disclosure Statement is being filed prior to the mailing of a final Official Action, notice of allowance or an Action that closes prosecution, and is timely filed in accordance with 37 C.F.R. § 1.97(c) without a fee in light of the following information.

In accordance with 37 C.F.R. § 1.97(e)(2), it is hereby certified that the documents listed in the accompanying Form PTO-1449 were not cited in a communication from a foreign patent office in a counterpart foreign application. All but one of the listed documents were cited in an Official Action on the merits in a co-pending application of one of the present inventors, Serial No. 09/766,491 (Attorney Docket No. 3999.002782), mailed from the P.T.O. on August 27, 2002, less than three months before the filing of the present statement, and evidently could not have been submitted before receipt. The remaining document, Bach *et al.*, was identified during research conducted in relation to an Opposition filed in a European patent of one of the present inventors, conducted on about September 05, 2002, again less than three months before the filing of the present statement.

No fees should be due in connection with the filing of this Supplemental Information Disclosure Statement. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary, the Examiner should contact the undersigned representative to discuss deduction from Williams, Morgan & Amerson Deposit Account No. 50-0786/4001.002282.

Respectfully submitted,



Shelley P.M. Fussey
Reg. No. 39,458
Agent for Applicants

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Date: September 20, 2002